



Kaplan Fox & Kilsheimer LLP
850 Third Avenue
New York, NY 10022
phone 212.687.1980
fax 212.687.7714
email mail@kaplanfox.com
www.kaplanfox.com

May 8, 2014

VIA ECF FILING

Honorable Viktor V. Pohorelsky
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201-1818

Re: In re Air Cargo Shipping Services Antitrust Litigation, 06-MD-1775 (JG)(VVP)

Dear Magistrate Judge Pohorelsky:

Plaintiffs and defendant EVA Airways Corporation respectfully submit the attached [Proposed] Stipulation and Order for a Limited Extension of Time to File a Motion to Compel. The parties have not previously made such a request.

The proposal is to enable plaintiffs and EVA to work out the foundation for the admissibility of a number of documents, and, if that fails, to conduct a Rule 30(b)(6) deposition in Taiwan on May 30, 2014. That deposition date would necessitate a short extension from June 2, 2014, to June 5, 2014, for plaintiffs to file any motion to compel with regard to the deposition, but would not extend the time by which EVA would respond to that motion.

Therefore, plaintiffs respectfully request that the court enter as an order the attached [Proposed] Stipulation and Order for a Limited Extension of Time to File a Motion to Compel.

Respectfully submitted,

Robert N. Kaplan
Gregory K. Arenson
Elana Katcher
KAPLAN FOX & KILSHEIMER LLP
850 Third Avenue, 14th Floor
New York, NY 10022
(212) 687-1980

Michael D. Hausfeld
William P. Butterfield
Brent W. Landau
HAUSFELD LLP
1700 K Street, N.W., Suite 650
Washington, DC 20006
(202) 540-7200

By: /s/ Michael D. Hausfeld





Honorable Viktor V. Pohorelsky
May 8, 2014
Page Two

Gary L. Specks
KAPLAN FOX & KILSHEIMER LLP
423 Sumac Road
Highland Park, IL 60035
(847) 831-1585

By: /s/ Gregory K. Arenson

Hollis L. Salzman
Robins, Kaplan, Miller & Ciresi LLP
601 Lexington Avenue, Suite 3400
New York, NY 10022
(212) 980-7400

By: /s/ Hollis L. Salzman

Howard J. Sedran
Austin B. Cohen
LEVIN, FISHBEIN, SEDRAN
& BERMAN
510 Walnut Street
Philadelphia, PA 19106
(215) 592-1500

By: /s/ Howard J. Sedran

cc: All Counsel of Record (via ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE AIR CARGO SHIPPING
SERVICES ANTITRUST LITIGATION
MDL No. 1775

Master File 06-MD-1775 (JG) (VVP)

**[PROPOSED] STIPULATION AND ORDER FOR A
LIMITED EXTENSION OF TIME TO FILE A MOTION TO COMPEL**

WHEREAS on November 26, 2013, plaintiffs served a notice for a deposition of EVA Airways Corporation (“EVA”) under Rules 45 and 30(b)(6) of the Federal Rules of Civil Procedure for the purpose of establishing the admissibility of a number of documents, which plaintiffs anticipate may be used at trial;

WHEREAS on December 23, 2013, plaintiffs submitted a Stipulation and [Proposed] Order To Extend the Deadline for Plaintiffs To Take the Rule 30(b)(6) Deposition of EVA Airways Corporation until May 31, 2014;

WHEREAS on December 27, 2013, the Court entered an order extending to May 31, 2014, the deadline for plaintiffs to take the Rule 30(b)(6) deposition of EVA;

WHEREAS counsel for plaintiffs and EVA have met and conferred and continue to meet and confer to endeavor to reach an agreement about foundations for authenticity and admissibility of documents;

WHEREAS on April 23, 2014, the Court filed a Minute Entry setting a deadline for motions to compel discovery of June 2, 2014, with oppositions to such motions to be filed by June 16, 2014;

WHEREAS, if necessary, a Rule 30(b)(6) deposition of EVA cannot be conducted in Taiwan prior to May 30, 2014;

WHEREAS plaintiffs and EVA agree that, if such a deposition occurs, it is reasonable to allow plaintiffs an additional two days to file any motion to compel regarding the Rule 30(b)(6) deposition;

WHEREAS plaintiffs and EVA agree that, if plaintiffs file such a motion to compel on June 5, 2014, EVA will not require time beyond June 16, 2014 to file an opposition; and

WHEREAS plaintiffs and EVA have not previously sought such an extension to file a motion to compel;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned, that:

- (1) The time for plaintiffs to file any motion to compel regarding a Rule 30(b)(6) deposition of EVA is extended from June 2 to June 5, 2014.
- (2) The time for EVA to file an opposition to any motion of plaintiffs regarding a Rule 30(b)(6) deposition of EVA remains June 16, 2014.

Dated: May 8, 2014

Respectfully submitted,

/s/ Brent Landau
Brent Landau
Michael Hausfeld
HAUSFELD LLP
1700 K Street, Suite 650
Washington, DC 20006
(202) 540-7200 (telephone)

/s/ Hollis L. Salzman
Hollis L. Salzman
Meegan Hollywood
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
601 Lexington Avenue
Suite 3400
New York, NY 10022
(212) 980-7400 (telephone)

/s/ Robert N. Kaplan
Robert N. Kaplan
Gregory K. Arenson
Gary L. Specks
KAPLAN FOX & KILSHEIMER, LLP
850 Third Avenue, 14th floor
New York, NY 10022
(212) 687-1980 (telephone)

/s/ Howard J. Sedran
Howard J. Sedran
Austin B. Cohen
Keith Verrier
LEVIN, FISHBEIN, SEDRAN & BERMAN
510 Walnut Street
Philadelphia, PA 19106
(215) 592-1500 (telephone)

Interim Co-Lead Counsel

/s/ Tammy Tsoumas

Tammy Tsoumas
KIRKLAND & ELLIS LLP
333 South Hope Street
Los Angeles, CA 90071
Telephone: (213) 680-8374
Facsimile: (213) 680-8500

Counsel for EVA Airways Corporation

So Ordered:

Victor V. Pohorelsky
United States Magistrate Judge

Dated: _____

CERTIFICATE OF SERVICE

I, Gregory K. Arenson, declare that, on May 8, 2014, I caused true and correct copies of the foregoing letter and attached [PROPOSED] Stipulation and Order for a Limited Extension of Time to File a Motion to Compel, to be delivered to all counsel of record via the Court's ECF system.

/s/ Gregory K. Arenson
Gregory K. Arenson